

Appl. No. 10/662,571
Amdt. dated December 8, 2004
Reply to Office Action dated September 10, 2004

REMARKS

Applicants thank the Office for the attention accorded the present Application in the September 10, 2004, Office Action. In that Action, Claims 1-12 were rejected under 35 USC §102(b) as being anticipated by Hall.

35 USC §102(b) rejections:

The Office has rejected Claims 1-12 under 35 USC §102(b) as being anticipated by Hall. The Office states that Hall teaches a method of removing and supporting an object (pole attachment or tree limb in the figures) that includes removably attaching a swingarm assembly (not numbered) around an object extension (pole or tree in the figures) where the swingarm assembly has a swingarm 15 and an object support assembly (not numbered) connected to the swingarm, positioning the swingarm 15 over the object, attaching the object support assembly to the object, disconnecting the object from the object extension, and pivoting the swingarm 15 about the swingarm assembly and moving the object away from the object extension. Applicants respectfully traverse.

Applicants have amended Claims 1-4 and 6-12 to include the limitations of removing and supporting an object from an object extension/support structure and the structure of the swingarm assembly. The swingarm assembly includes a swingarm and a channel member having a retaining sleeve and a system securing member removably attached to the channel member where the combination of the securing member attached to the channel member forms a capture opening, i.e. a clamping structure. The capture opening is adapted to surround the object extension/support structure.

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Support can be found in Applicants' disclosure in Figs. 2, 4-14 and 16 and on page 5, line 30 to page 6, line 11, and page 18, line 11 to page 24, line 22.

Applicants have added new Claims 13-15. Claims 13-15 include the limitation that the pair of channel members is a pair of securing bands that connect to each other forming a capture opening for securing the device to the object extension/support structure. Support for these new claims can be found in Figs. 12-14 and on page 22, line 15 to page 24, line 2 of Applicants' disclosure.

Mayfield does not disclose a swingarm assembly that includes a swingarm rotatably supported by a channel member having a retaining sleeve to receive the swingarm and a system securing member removably attached to the channel member where the system securing member connects to the channel member forming a capture opening that surrounds the cover support extension as claimed by Applicants. Mayfield discloses a swingarm 15, a channel bar 10, an angular iron 11 with an opening 13 attached to the upper end of channel bar 10 to receive the swingarm, two pole-engaging clamping members 22 and 23 attached to the channel bar 10, and two chains 29 where each chain is connected to one of the two clamping members 22 and 23. It is the two chains connected to the two clamping members that form the "capture opening" that secures the device around the pole or tree. It is not the clamping members connected to the channel bar 10 that forms the capture opening.

Unlike Applicants' claimed invention, Mayfield's channel bar 10 is not one of the structural components that forms the capture opening to clamp around the support structure. It is Mayfield's two clamping members 22 and 23 in conjunction with the

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chains 29 that are the structural components that form the capture openings to clamp around the support structure.

Applicants' claimed invention, unlike Mayfield's device, claims a swingarm assembly having a swingarm and a channel member having a retaining sleeve and a system securing member removably attached to the channel member where the combination of the securing member attached to the channel member forms a capture opening. In one limiting claim, the cover support system claims only a single channel member that has a single, integral swingarm retaining sleeve for supporting the swingarm and one system securing member removably attached to the single channel member (See Figs. 2, 4 and 5 of Applicants' disclosure). It is the combination of the single channel member and the single securing member connected to each other that forms the capture opening used to secure the present invention to a cover support structure. In a second limiting claim, the cover support system claims two channel members but the two channel members are connected to each other by a pair of system securing members (See Figs. 6-11 of Applicants' disclosure). It is the pair of channel members and the pair of securing members that form the capture opening used to secure Applicant's device to the cover support structure.

In light of the above amendments and arguments, Applicants respectfully submit that the 35 U.S.C. §102(b) rejection of Claims 1-12 has been successfully traversed. Allowance of these claims is therefore requested.

As to new Claims 13-15, Mayfield also cannot anticipate Applicants' claimed swingarm retainer assembly that has a swingarm and a pair of channel members

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having a swingarm sleeve for rotatably supporting the swingarm where the pair of channel members are securing bands that connect to each other forming a capture opening adapted to attach around the support structure. Mayfield does not disclose a pair of channel members that are securing bands that connect to each other to secure the Mayfield device to the support structure (i.e. pole or tree). As discussed above, Mayfield discloses the use of two clamping members 22, 23 and two chains 29 to secure the Mayfield device to the pole or tree. The two clamping members 22, 23 do not connect to each other to form the capture opening that secures the Mayfield device to the pole or tree. For the above reasons, Mayfield cannot anticipate new Claims 13-15.

CONCLUSION

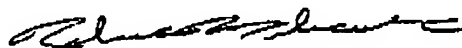
Applicant respectfully submits that the amendments to the pending claims and the arguments presented herein successfully traverse the 35 U.S.C. § 102(b) rejection of Claims 1-12 as being anticipated by Hall. In addition, Hall cannot anticipate new Claims 13-15.

Applicant believes that all of the pending claims should now be in condition for allowance. Early and favorable action is respectfully requested.

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The Examiner is invited to telephone the undersigned, Applicants' attorney of record, to facilitate advancement of the present application.

Respectfully submitted,



Dated: 12/8/04

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Robert R. Deleault
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